

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

vs.

LUZ MARIA BURTON,

Defendant.

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CRIMINAL NO. 10-00179-002-CG

ORDER

This matter is before the court on the United States' appeal from the oral order of the Magistrate Judge releasing the defendant on conditions. The undersigned has read the pretrial services report and listened to the recording of the detention hearing held on August 19, 2010. Having reviewed the evidence, the court finds that there are no conditions of release that will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

The defendant is a native of Colombia, who has lived in this country for approximately 20 years. Her mother and siblings all still live in Colombia, with the exception of one brother who is serving a federal sentence in South Carolina. She maintains close ties to all of her siblings, travels to Colombia to visit her relatives, and recently returned from such a trip. She has four daughters who live in the Houston area. The defendant does intermittent contract work at refineries, which pays approximately \$1500 per week. She has not worked since March 2010, and currently has no money in the bank. Her rent and other living expenses exceed \$1250 a month.

The defendant is charged in counts which carry minimum mandatory sentences of 10

years in Count One, and Five Years in Count Two. The weight of the evidence against her appears strong.

From this evidence, the court finds that the defendant has both a motive to flee and close relatives in Colombia with whom she could seek refuge. She has no money in savings, and although her adult children live in the Houston area, the court finds that the prospect of a lengthy sentence makes it less likely that she would stay in the Houston area for her children's sake. Accordingly, the court finds that there are no conditions of release that will reasonably assure the defendant's appearance.

Accordingly, the court **ORDERS** that the defendant be detained pending trial.

DONE and ORDERED this 20th day of August, 2010.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE